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House arrest

A Montgomery County leader hunts for ways to stop the spread of McMansions. **Page 8**

RESIDENTIAL REAL ESTATE

Mont. Co. official wants to stop super-size homes

By Joe Coombs
Staff Reporter

Howard Denis wants to stop the "mansions" of Montgomery County.

The county council member says some home builders are using loopholes in zoning regulations to build single-family houses that shoot up higher than the legal 35 feet. It's time to start scaling back, Denis says.

"This first came up about 10 years ago in Bethesda, but now it's happening all over the county," he says. "It removes the predictability that should exist as to what people can expect would be built in their neighborhood. There are houses being built as much as 10 feet higher than what falls under our regulations."

County laws limit single-family homes to two-and-a-half stories, or 35 feet. Some builders get exceptions because of "terrace heights," or homes built on varying grades of land.

For example, someone building a house on a lot that slopes to the rear of the property can increase its actual height by making a walkout basement on the ground level. Therefore, builders can change a lot's grade to accommodate a larger structure.

Bethesda resident Barbara Siegel has seen this firsthand. She says the contractor who built her neighbor's house in 2002 received a terrace exception. By her measurements the house is more than 38 feet at its highest point.

"Part of this issue deals with where they're taking measurements and the slope of the land," Siegel says. "We live in an older



SUPER SIZE: Montgomery County Councilman Howard Denis says this home in Bethesda is an example of how a loophole in the county's zoning laws is allowing homes to be built taller than 35 feet.

community, and we're concerned about all these larger homes being built here. I don't think the house next door should have even been granted a permit."

Denis wants to eliminate the terrace exception and "story" measurement from the regulations, keeping a uniform 35-foot limit on single-family houses.

The proposed legislation also calls for a variation of no more than a foot between a site's pre-development and finished grades.

The law would apply to all houses in residential zones that allow for 6,000-square-foot and 9,000-square-foot homes.

The Maryland-National Capital Building Industry Association (www.mncbia.org) has asked the county council to only apply the proposed amendment to infill development or when an existing home is leveled and replaced with a new one.

"The infill spots are the only areas where this issue has been raised, so that's where we believe it should be addressed," says Raquel Montenegro, associate director of government affairs for the building association.

The housing-height issue has been through a few committee discussions and could come up for a full council vote in the near future, says Patrick Lacefield, a spokesman for the Montgomery County Council (www.montgomerycountymd.gov).

This issue is old news for residents in Chevy Chase, where the town council has recently sought ways to control "mansionization," says Town Manager Todd Hoffman. But without any true zoning authority, which comes at the county level, the town's hands are tied.

Chevy Chase officials are focusing their efforts on setbacks, or the space that's required between residential lots. The town (www.townofchevy Chase.org) wants to establish a minimum of 8 feet on one side of a house and 10 feet on the other to avoid crowding within neighborhoods.

"We have zero jurisdiction over the size of a house," Hoffman says. "But if we can limit the buildable area by setting some stricter standards on setbacks, we can prevent larger homes from being built too close to the neighboring lots."

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